

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**CHARLES H. FOSTER, JR.**

§

**PLAINTIFF**

§

**v.**

§

**CAUSE NO. 1:05CV359**

§

**CHEVRON U.S.A., INC.**

§

**DEFENDANT**

**JUDGMENT**

This matter came on for hearing September 7, 2006 on the Motion for Summary Judgment filed by Chevron U.S.A., Inc. [42], and the Court, after a full review and consideration of the Defendant's Motion, Plaintiff's Response, the pleadings on file, arguments of counsel and the relevant legal authority, finds that in accord with the order entered herewith,

**IT IS ORDERED AND ADJUDGED** that because there is no genuine issue as to any material fact, judgment is rendered in favor of the Defendant pursuant to FED. R. CIV. P. 56. Plaintiff's case is hereby dismissed with prejudice against the Defendant. All remaining pending motions are hereby rendered moot.

**SO ORDERED AND ADJUDGED** this the 7<sup>th</sup> day of September, 2006.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE